

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE

2005 NOV 10 P 12:01

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

RICHARD F. SELDEN,

Defendant.

U.S. DISTRICT COURT  
DISTRICT OF MASS.

Civil Action No. 05-11805-NMG

**PLAINTIFF'S LOCAL RULE 16.1(D)(3) CERTIFICATION**

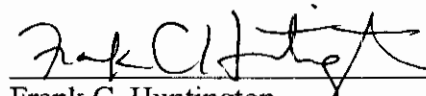
The undersigned representative of plaintiff Securities and Exchange Commission ("the Commission") and the undersigned counsel for the Commission affirm that they have conferred with respect to: (a) establishing a budget for the costs of conducting the full course, and various alternative courses, of the litigation, and (b) the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

By:



David Bergers  
Associate District Administrator  
Boston District Office  
Securities and Exchange Commission

By:



Frank C. Huntington  
Senior Trial Counsel  
Boston District Office  
Securities and Exchange Commission

Dated: November 9, 2005